

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

OGANES DOGANYAN,

Petitioner,

v.

KRISTI NOEM, *et al.*,

Respondents.

Case No. C25-5097-JLR-MLP

ORDER FOR SERVICE AND
RETURN, § 2241 PETITION

Petitioner, through counsel, has filed a petition for writ of habeas corpus under 28 U.S.C. § 2241 challenging his detention by U.S. Immigration and Customs Enforcement (“ICE”). The Court, having reviewed the petition, hereby ORDERS as follows:

(1) The Clerk shall arrange for service upon Respondent Bruce Scott, Warden of the Northwest ICE Detention Center,¹ upon the United States Attorney General in Washington, D.C., and upon the civil process clerk at the Office of the United States Attorney for the Western

¹ Petitioner also identifies Kristi Noem, Caleb Vitello, and Drew H. Bostock as Respondents in his petition. However, the proper respondent to a habeas petition is “the person who has custody over [the petitioner].” 28 U.S.C. § 2242; *see also* 28 U.S.C. § 2243 (“The writ, or order to show cause shall be directed to the person having custody of the person detained.”). As the Warden of the Northwest ICE Detention Center is the person who has immediate custody over Petitioner, the Warden is the only proper Respondent in this action.

1 District of Washington, of copies of the petition and of this Order, by registered or certified mail,
2 return receipt requested.

3 (2) **Within 30 days of the date this Order is posted**, Respondent shall show cause
4 why a writ of habeas corpus should not be granted by filing a return as provided in 28 U.S.C.
5 § 2243. As a part of such return, Respondent shall address and submit evidence relevant to
6 Petitioner's allegation that his detention is unlawful.

7 (3) The return will be treated in accordance with LCR 7(d)(4). Accordingly, on the
8 face of the return, Respondent shall note it for consideration no earlier than 28 days after it is
9 filed, and the Clerk shall note the return accordingly. Petitioner may file and serve a response no
10 later than 21 days after the return is filed, and Respondent may file and serve a reply no later
11 than 28 days after the return is filed.

12 (4) If Petitioner's custody status changes at any point during this litigation,
13 **Respondents shall file a status update with the Court as soon as possible and no later than**
14 **14 days after the change.**

15 (5) The Clerk is directed to send copies of this Order to all counsel of record and to
16 the Honorable James L. Robart.

17 Dated this 12th day of February, 2025.

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20 MICHELLE L. PETERSON
21 United States Magistrate Judge
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